

REMARKS

- A. The invention claimed in Claims 5-11 is not anticipated by DE 19,708,570.

At page 4, lines 4-5 of the Examiner's Answer, it is stated:

Appellants argue that the employment of cyclopentane is not envisioned by DE 19,708,570.

Appellants would direct the Board's attention to the fact that this statement is **not correct**.

More specifically, Appellants have argued and continue to argue that DE 19,708,570 does not teach a cyclopentane/polyol **dispersion**.

Support for Appellants' position is found in the very reference examples upon which the Examiner has relied.

More specifically, DE 19,708,570 states in the description of the procedure used in Examples 1 and 6 (the same two procedures were used in all of the examples) that, "Component A was produced by mixing together the named substances into a **homogeneous** mixture." (At page 14, lines 21-22 and page 15, lines 24-25 of the English translation of this reference)(emphasis added)

A homogeneous mixture is **not** the same as a dispersion.

The Examiner has argued that the difference in degree of blending between the claimed invention and the mixtures disclosed in the reference is not seen in a patentable sense. (At page 4, lines 10-11 of the Examiner's Answer)

Appellants would note that their claims specifically require a polyol "having poor compatibility with cyclopentane". This poor compatibility will obviously prevent mixing the polyol and cyclopentane to obtain a homogeneous mixture of the type disclosed in the reference Examples.

Claims must be read as they would be read by one of ordinary skill in the art.

One skilled in the art would readily appreciate that Appellants' claim requirement of a polyol which is poorly compatible with cyclopentane would result in a dispersion rather than a homogeneous mixture.

Further, the **only** emulsions mentioned in the reference are emulsions of fluorinated compounds - not cyclopentane.

One skilled in the art would hardly consider cyclopentane to be equivalent to the fluorinated compounds taught in the reference.

The Examiner's arguments do not therefore support the rejection of Appellants' Claims 5-11 under 35 U.S.C. § 102(b).

B. The invention claimed in Claims 12-14 is not anticipated by Barth et al (U.S. 4,275,172).

At page 5, lines 2-5 of his Answer, the Examiner argues that placement of a static mixer between the catalyst injector and the froth applicator as taught in Barth et al "reads on" Appellants' static mixer in a high pressure circulating line.

Appellants respectfully disagree.

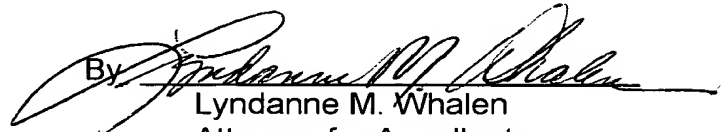
A circulating line is one in which the material "follows a course that returns to the starting point." (See enclosed copy of definition of "circulate" from page 202 of Webster's New Collegiate Dictionary.)

The line in which the Barth et al static mixer is positioned does **not** make it possible for the material present therein to return to its starting point. After passage through the static mixer taught by Barth et al, the catalyst-containing froth must be dispensed onto a substrate.

Appellants' claims which require a static mixer in the circulating line are not therefore anticipated by the teachings of Barth et al.

For these reasons and those discussed in their Brief, Appellants continue to maintain that each of the Examiner's rejections is in error and respectfully request that each of these rejections be reversed and that Claims 5-14 be allowed.

Respectfully submitted,

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ci-ne-re-ous \sə-'nir-ē-əs\ *adj* [L. *cinereus*, fr. *ciner-*, *cinis* ashes] 1 : gray tinged with black 2 : resembling or consisting of ashes
cin-er-in \sɪn-'rɪn\ *n* [L. *ciner-*, *cinis* ashes] : either of two compounds $C_{10}H_{12}O_4$ and $C_{12}H_{14}O_4$ of high insecticidal properties
cin-gu-lum \sɪŋ-'gyə-ləm\ *n*, *pl* -la \-lə\ [NL, fr. L. *girdle*, fr. *cingere* to gird — more at **CINCTURE**] : a differentiated band or a girdle (as of color) — **cin-gu-late** \-lət\ *adj*
cin-na-bar \sɪn-'ə-bār\ *n* [ME *cynabare*, fr. MF & L: MF *cenobre*, fr. L. *cinnabaris*, fr. Gk *kinnabari* of non-IE origin; akin to Ar *zinjafr* cinnabar] 1 : native red mercuric sulfide HgS that is the only important ore of mercury 2 : artificial red mercuric sulfide used esp. as a pigment 3 : a European moth (*Tyria jacobaeae*) with grayish black fore wings marked with red and clear reddish pink hind wings that has been introduced into the U.S. in attempts to control ragwort on the leaves of which its larvae feed — called also **cinnabar moth** — **cin-na-bar-ine** \-bār-'in, sɪn-'ə-bār-'ən\ *adj*
cin-nam-ic \sɪn-'nəm-ik\ *adj* [F *cinnamique*, fr. *cinnam* cinnamon, fr. L. *cinnamomum*] : of, relating to, or obtained from cinnamon
cinnamic acid *n* : a white crystalline odorless acid $C_9H_8O_2$ found esp. in cinnamon oil and storax
cin-na-mon \sɪn-'ə-mən\ *n*, often attrib [ME *cynamone*, fr. L. *cinnamomum*, *cinnamomum*, fr. Gk *kinnamōmon*, *kinnamom*, of non-IE origin; akin to Heb *qinnāmōn* cinnamon] 1 a : the highly aromatic bark of any of several trees (genus *Cinnamomum*) of the laurel family used as a spice b : a tree that yields cinnamon 2 : a light yellowish brown
cinnamon fern *n* : a large No. American fern (*Osmunda cinnamomea*) with cinnamon-colored spore-bearing fronds shorter than and separate from the green foliage fronds
cinnamon stone *n* : ESSONITE
cin-quain \sɪŋ-'kæn, 'sæn\ *n* [F, fr. *cing* five, fr. L. *quinque* — more at **FIVE**] : a five-line stanza
cin-que-cen-tist \tʃɪŋ-'kwɪ-'tʃent-'st\ *n* : an Italian of the cinquecento; esp : a poet or artist of this period
cin-que-cen-to \tʃɪŋ-'kwɪ-'tʃen-(t)ō\ *n* [It. lit., five hundred, fr. *cinque* five (fr. L. *quinque*) + *cento* hundred, fr. L. *centum* — more at **HUNDRED**] : the 16th century esp. in Italian art
cin-que-foil \sɪŋ-'kɔɪl, 'sæŋ-\ *n* [ME *sink foil*, fr. MF *cincofolle*, fr. L. *quinquefolium*, fr. *quinque* five + *folium* leaf — more at **BLADE**] 1 : any of a genus (*Potentilla*) of plants of the rose family with 5-lobed leaves 2 : a design enclosed by five joined foils
ci-on *var* of **SCION**
ci-pher \sɪ-'fər\ *n*, often attrib [ME, fr. MF *cifre*, fr. ML *cifra*, fr. Ar *sifr* empty, cipher, zero] 1 a : ZERO 3a b : one that has no weight, worth, or influence : NONENTITY 2 a : a method of transforming a text in order to conceal its meaning — compare **CODE 3b** b : a message in code 3 : an arabic numeral 4 : a combination of symbolic letters; esp : the interwoven initials of a name
ci-pher *vb* **ci-phered**; **ci-pher-ing** \-fə-'rɪŋ\ *vi* : to use figures in a mathematical process ~ *vi* 1 : ENIPHER 2 : to compute arithmetically
ci-pher alphabet *n* : a set of one-to-one equivalences between a sequence of plaintext letters and the sequence of their cipher substitutes used in cryptography
ci-pher-text \sɪ-'fər-'tekst\ *n* : the enciphered form of a text or of its elements — compare **PLAINTEXT**
ci-pho-ny \sɪ-'fə-nē\ *n* [ci-pher + *telephony*] : the electronic scrambling of voice transmissions
cir *abbr* circle, circular
circ *abbr* circular
cir-ca \sər-'kə, 'kɪ(ə)-r(ə)-kə\ *prep* [L, fr. *circum* around — more at **CIRCUM**] : at, in, or of approximately — used esp. with dates <born ~ 1600>
cir-ca-di-an \sər-'kə-dē-'ən, 'kād-, sər-'kə-dē-'ən, 'dē-\ *adj* [L. *circa* about + *dies* day + *-an* — more at **DEITY**] : being, having, characterized by, or occurring in approximately 24-hour periods or cycles (as of biological activity or function) << oscillations >> << periodicity >> << rhythms in hatching >> << leaf movements >> *syn* **DAILY**
Cir-cas-sian \sər-'kash-'ən\ *n* [Circassia, Russia] 1 : a member of a group of peoples of the Caucasus of Caucasian race but not of Indo-European speech 2 : the language of the Circassian peoples — **Circassian** *adj*
Circassian walnut *n* : the light brown irregularly black-veined wood of the English walnut much used for veneer and cabinetwork
Cir-ce \sər-'(ə)sē\ *n* [L, fr. Gk *Kirke*] : a sorceress who changed Odysseus' men into swine but was forced by Odysseus to change them back
cir-ci-nate \sərs-'nāt\ *adj* [L. *circinatus*, pp. of *circinare* to round, fr. *circinus* pair of compasses, fr. *circus*] : ROUNDED, COILED; esp : rolled up on the axis with the apex as a center << fern fronds unfolding >> — **cir-ci-nate-ly** *adv*
ci-cle \sər-'kəl\ *n*, often attrib [ME *cercle*, fr. OF, fr. L. *circulus*, dim. of *circus* circle, *circus*, fr. or akin to Gk *krikos*, *kirkos* ring] 1 a : RING, HALO b : a closed plane curve every point of which is equidistant from a fixed point within the curve c : the plane surface bounded by such a curve 2 : the orbit or period of revolution of a heavenly body 3 : something in the form of a circle or section of a circle as a : CIRCLE, DIADEM b : an instrument of astronomical observation the graduated limb of which consists of an entire circle c : a balcony or tier of seats in a theater d : a circle formed on the surface of a sphere by the intersection of a plane that passes through it << of latitude >> e : ROTARY 4 : an area of action or influence : REALM 5 a : CYCLE, ROUND <the something to be demonstrated is covertly assumed 6 : a group of persons sharing a common interest or revolving about a common center <the sewing ~ of her church > <the gossip of court ~ > 7 : a territorial or administrative division or district *syn* **SET**
circle *vb* **cir-cled**; **cir-cling** \-k(ə)-lɪŋ\ *vi* 1 : to enclose in or as if in a circle 2 : to move or revolve around ~ *vi* 1 a : to move in or as if in a circle b : CIRCULATE 2 : to describe or extend in a circle — **cir-cler** \-k(ə)-lər\ *n*

circle graph *n* : PIE CHART

cir-clet \sər-'klət\ *n* : a little circle; esp

: a circular ornament

ci-r-cuit \sər-'kət\ *n*, often attrib [ME, fr.

MF *circuitus*, fr. L. *circuitus*, fr. pp. of

circumire, *circuire* to go around, fr. *circum-*

+ *ire* to go — more at **ISSUE**] 1 a

: a usu. circular line encompassing an area

b : the space enclosed within such a line

2 a : a course around a periphery b

: a circuitous or indirect route 3 a : a

regular tour (as by a traveling judge or

preacher) around an assigned district or

territory b : the route traveled c : a

group of church congregations ministered

to by one pastor 4 a : the complete path

of an electric current including usu. the

source of electric energy b : an assem-

blage of electronic elements : **HOOKUP** c

: a two-way communication path between

points (as in a computer) 5 a : an as-

sociation of similar groups : **LEAGUE** b

: a group of establishments offering similar entertainment or

presenting a series of contests; esp : a chain of theaters at which

productions are successively presented — **ci-r-cuit-al** \-kət-'l\ *adj*

ci-r-cuit *vi* : to make a circuit about ~ *vi* : to make a circuit

circuit breaker *n* : a switch that automatically interrupts an

electric circuit under an infrequent abnormal condition

circuit court *n* : a court that sits at two or more places within one

judicial district

circuit judge *n* : a judge who holds a circuit court

ci-r-cu-itous \sər-'kyū-'təs\ *adj* 1 : marked by a circular or

winding course <a ~ route> 2 : marked by roundabout or

indirect procedure — **ci-r-cu-itous-ly** *adv* — **ci-r-cu-itous-ness** *n*

circuit rider *n* : a clergyman assigned to a circuit esp. in a rural

area

ci-r-cuit-ry \sər-'kə-'trē\ *n*, *pl* -ries 1 : the detailed plan of an

electric circuit 2 : the components of an electric circuit

ci-r-cu-ity \sər-'kyū-'at-ē\ *n*, *pl* -ities [irreg. fr. *circuit*] : lack of

straightforwardness : INDIRECTION <mi-red so deeply in its own

complicated ~ of words — C. O. Gregory>

ci-r-cu-lar \sər-'kya-'lər\ *adj* [ME *circular*, fr. MF, fr. LL *circularis*,

fr. L. *circulus* circle] 1 : having the form of a circle : ROUND 2

: moving in or describing a circle or spiral 3 : CIRCUITOUS

INDIRECT <a ~ explanation> 4 : characterized by reasoning in a

circle <~ argument> 5 : marked by or moving in a cycle 6

: intended for circulation — **ci-r-cu-lar-ly** \sər-'kya-'lər-'at-ē\ *n*

— **ci-r-cu-lar-ly** \sər-'kya-'lər-'at-ē\ *adv* — **ci-r-cu-lar-ness** *n*

ci-r-cu-lar *n* : a paper (as a leaflet) intended for wide distribution

circular file *n* : WASTEBASKET

circular function *n* : TRIGONOMETRIC FUNCTION

ci-r-cu-lar-ize \sər-'kya-'lə-'rīz\ *vi*, *-ized*; *-izing* 1 a : to send

circulars to b : to poll by questionnaire 2 : PUBLICIZE — **ci-r-cu-lar-iza-tion** \sər-'kya-'lə-'rīz-'ā-'shən\ *n*

circular measure *n* : the measure of an angle in radians

ci-r-cu-late \sər-'kya-'lāt\ *vb* -lat-ed; -lat-ing [L. *circulatus*, pp. of

circulare, fr. *circulus* circle] 1 : to move in a circle, circuit, or

orbit; esp : to follow a course that returns to the starting point

<blood ~s through the body> 2 : to pass from person to person

or place to place; as a : to flow without obstruction b : to

become well known or widespread <rumors ~ulated through the

town> c : to go from group to group at a social gathering d

: to come into the hands of readers; *specif* : to become sold or

distributed ~ *vi* : to cause to circulate — **ci-r-cu-lat-able** \-lāt-'ə-bəl\ *adj* — **ci-r-cu-lat-ion** \-lāt-'ē-shən\ *n* — **ci-r-cu-lat-ory** \-lāt-'tōr-ē, -tōr-\ *adj*

circulating decimal *n* : REPEATING DECIMAL

ci-r-cu-la-tion \sər-'kya-'lā-'shən\ *n* 1 : FLOW 2 : orderly move-

ment through a circuit; esp : the movement of blood through the

vessels of the body induced by the pumping action of the heart 3

a : passage or transmission from person to person or place to

place; esp : the interchange of currency; <coins in ~ > b : the

extent of dissemination; as (1) : the average number of copies of

a publication sold over a given period (2) : the total number of

items taken by borrowers from a library

circulatory system *n* : the system of blood, blood vessels,

lymphatics, and heart concerned with the circulation of the blood

and lymph

circum- *prefix* [OF or L. OF, fr. L. fr. *circum*, fr. *circus* circle —

more at **CIRCLE**] : around : about <circumpolar>

ci-r-cum-am-bi-ent \sər-'kə-'mām-bē-'ənt\ *adj* [LL *circumambiens*,

circumambiens, pp. of *circumambire* to surround in a circle, fr. L.

circum- + *ambire* to go around — more at **AMBIENT**] : being on

all sides : ENCOMPASSING — **ci-r-cum-am-bi-ent-ly** *adv*

ci-r-cum-am-bu-late \-byə-'lāt\ *vi* -lat-ed; -lat-ing [LL *circumambulus*, pp. of *circumambulare*, fr. L. *circum-* + *ambulare* to walk]

: to circle on foot esp. ritually

ci-r-cum-cise \sər-'kəm-'sīz\ *vi* -cised; -cis-ing [ME *circumcisen*, fr. L. *circumcisis*, pp. of *circumcidere*, fr. *circum-* + *caedere* to cut —

more at **CONCISE**] : to cut off the prepuce of (a male) or the clitoris

of (a female) — **ci-r-cum-cis-ed** *n*

ci-r-cum-ci-sion \sər-'kəm-'sīz-'ən\ *n* 1 a : the act of circumcis-

ing; *specif* : a Jewish rite performed on male infants as a sign of

inclusion in the Jewish religious community b : the condition of

being circumcised 2 *cap* : January 1 observed as a church festival

in commemoration of the circumcision of Jesus

ci-r-cum-fer-ence \sər-'kəm-'fər-'ən(t)s\ *n* [ME, fr. MF, fr. L. *circumferentia*, fr. *circumferre* to carry around, fr. *circum-* + *ferre* to carry — more at **BEAR**] 1 : the perimeter of

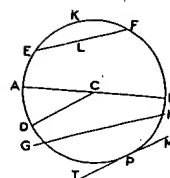
a circle 2 : the external boundary or surface of a figure or object

: PERIPHERY — **ci-r-cum-fer-ent-ial** \-kəm-'fər-'en-'chəl\ *adj*

ci-r-cum-flex \sər-'kəm-'fleks\ *adj* [L. *circumflexus*, pp. of *circum-*

flectere to bend around, mark with a circumflex, fr. *circum-* +

flectere to bend] 1 a : characterized by the pitch, quantity, or



circle 1b: AB diameter; C center; CD, CA, CB, radii; EKF arc on chord EF; EFKL (area) segment on chord EF; ACD (area) sector; GH secant; TPM tangent at point P; EKFBPDA circumference